

**IN THE UNITED STATES COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

KIMBERLY ANN WILLIAMS,	:	CIVIL ACTION
	:	
Plaintiff	:	
	:	
v.	:	
	:	
ANDREW M. SAUL,	:	No. 19-cv-04693-RAL
Commissioner of Social Security,	:	
	:	
Defendant	:	

MEMORANDUM OPINION

RICHARD A. LLORET
U.S. MAGISTRATE JUDGE

June 19, 2020

Kimberly Ann Williams was denied social security benefits by the decision of an Administrative Law Judge (“ALJ”). Ms. Williams contends that the ALJ’s unfavorable decision was reached in error. Doc. No. 12, at 3–10 (Plaintiff’s Brief). Ms. Williams argues that (1) the ALJ improperly substituted her own lay opinion for that of a state-agency consulting physician and did not adequately develop the record; and (2) the presiding ALJ’s appointment was improper under the Appointments Clause of the Constitution. *Id.* In response, the Commissioner of Social Security (“Commissioner”) conceded that further evaluation of Ms. Williams’ claim is warranted, and he requested that this case be remanded.¹ Doc. No. 17 (Defendant’s Uncontested Motion to Remand). The Commissioner has represented that Ms. Williams’s counsel consented to his request. *See id.*

¹ The Commissioner assures that on remand, Ms. Williams’s case will be referred to a different ALJ “to further evaluate [Ms. Williams’s] claims, offer [her] the opportunity for a new hearing, and issue a new decision.” Doc. No. 17, ¶ 3.

Because the parties agree that the ALJ erred in the evaluation of Ms. Williams's disability claim, the Commissioner's motion and Ms. Williams's request for review are granted, the final decision of the Commissioner is reversed, and this matter is remanded to the Commissioner further proceedings.

BY THE COURT:

s/Richard A. Lloret
RICHARD A. LLORET
U.S. Magistrate Judge